

**City of Taylorsville**  
**SPECIAL CITY COUNCIL MEETING**  
*Minutes*

**Saturday, September 24, 2005**  
**Salt Lake Community College, Student Center**  
**4600 South Redwood Road, Room No. 219**  
**Taylorsville, Utah 84118**

**Attendance:**

Mayor Janice Auger

**Council Members:**

Chairman Russ Wall  
Council Member Les Matsumura  
Council Member Jerry Rechtenbach

**City Staff:**

Mark McGrath, Community Development Director  
Gerry Orr, City Finance Director  
Robin Kishiyama, Council Coordinator  
Cheryl Peacock, Deputy Recorder

**Planning Commission:**

Angelo Calacino, Chairman  
Kristie Overson  
Ted Jensen  
Bip Daniels  
Scott Bolton  
Blaine Pierce

**Others:**

David Church, Utah League of Cities & Towns  
Julie Brewster, Utah Power  
Greg Rutledge, Utah Power

**Excused:** Council Member Bud Catlin, Council Member Morris Pratt, City Recorder Virginia Loader, City Attorney John Brems, City Administrator John Inch Morgan

**WELCOME AND INTRODUCTION**

**1. Discussion of the Roles and Responsibilities of the City Council, Community Development and Planning Commission**

Chairman Russ Wall called the Special City Council Meeting to order at 8:05 a.m. and welcomed those in attendance. He made introductions and described the purpose of the meeting as striving to improve communication between the Planning and Zoning Commission, the City Council and the City Staff. Chairman Wall noted a need to identify roles and responsibilities.

Chairman Wall then turned time to Julie Brewster, of Utah Power, who served as facilitator of the meeting. Ms. Brewster described her role as a facilitator and listed ground rules for the meeting, as follows:

- Be recognized when you want floor
- All agreed to having the meeting recorded
- Be open and honest
- Stay on task
- Silence or absence is assumed to be agreement
- Be willing to follow the facilitator
- Focus on issues, not personalities.

The purpose of the joint meeting was discussed and described, as follows:

- Identify rules, responsibilities and obligations of the Planning Commission, City Staff and City Council in the General Planning process.
- Identify where the rough spots have occurred in the process with what does and doesn't define the issues.
- Identify what considerations the Council, Staff and Commission must look at in the process.
- Identify where we go from here; how procedures should go in the future and outline agreements.

The following expectations were listed:

- Two-way communication between the City Council and the Planning Commission
- Parties will never all completely agree
- Understand roles and limits within those roles
- Understand Council expectations of Planning Commission
- Understand the importance of the Planning Commission
- Move away from the "them against us" thinking – maintain neutrality and be on same team
- Remember that all are working toward the best interest of Taylorsville
- Gain a better understanding of the General Plan
- Have communication between the Council and the Planning Commission before decisions are considered and overruled.

David Church, General Counsel for the Utah League of Cities and Towns spoke about roles of the Planning Commission. He referenced the new Land Use Development and Management Act (LUDMA) and described legal requirements contained therein. He noted that the Planning

Commission is a mandatory body. Mr. Church said that the duty of the Planning Commission is to make recommendations and serve in an advisory role. He cited a need for the Appeal Authority to be identified and said that the permitter cannot be the appeal body. Mr. Church stated that the City Council can take whatever action it decides once a recommendation is received from the Planning Commission. He also noted that permitting is not discretionary if the request meets ordinance requirements. He stated that there are certain permit requests that can be decided at Staff level.

A discussion was held and the roles of each body, were outlined as follows:

Planning and Zoning Commission

- Mandatory body
- Duties: Advisory/make recommendations
- Experts in area
- Not a perfecter
- Use discretion on plans
- When handing out permits – no discretion necessary, just follow ordinance
- Permitting phase – an executive function

City Council

- Needs recommendation from Planning and Zoning
- Makes decisions on plans

Staff

- Can say yes or no to a permit request
- Belongs to Mayor and executive staff
- Insures that policies are carried out
- Makes City policies successful

Russ Wall called for clarification on the appeal process and appeal boards. The Mayor inquired as to whether she can assign someone else to hear the appeal. Mr. Church responded that a hearing officer may be appointed from the Mayor's office.

Discussion ensued and it was noted that the General Plan should be relied upon for the approval process.

Planning Commissioner Angelo Calacino observed that there are major differences in understanding what the General Plan means. Planning Commissioner Kristie Overson stated that the permitting process is too lengthy. Planning Commissioner Ted Jensen observed that the Planning Commission looks at issues for long-term effects and the Council looks at the political

ramifications. Council Member Les Matsumura noted that criteria is not set in stone. Council Chairman Wall warned that developers sometimes body shop and use differences in philosophy to their advantage.

The philosophy behind the General Plan was discussed. Planning Commissioner Bip Daniels suggested using the plan as a “living plan.” Chairman Wall asserted that if the plan were updated more frequently, it could be used more definitively. Council Member Jerry Rechtenbach referenced using a SWOT analysis (strengths, weaknesses, opportunities, and threats). The Mayor suggested finding a balance for middle ground in using the plan. Council Member Matsumura stated that the General Plan is meaningful and real, but must follow course corrections. It was noted that the overall vision of the plan is long-term. Community Development Director Mark McGrath addressed a need for broadening General Plan uses. Council Chairman Wall stated that he would like to be provided more background on the philosophy behind Planning Commission recommendations before the Council makes decisions.

It was agreed that the Planning Commission will summarize the rationale behind its decisions and provide that summary a week ahead of time to the Council or include information in Council packets. The suggestion was made to allow the Planning Commission time to make explanations at City Council Meetings. It was also recommended that input on the General Plan be obtained from developers.

Mr. McGrath suggested that a liaison from the City Council attend Planning Commission Meetings. Mayor Auger stated support for a rotation of liaisons to insure objectivity.

A ground rule was agreed upon that disparaging or personal remarks should be avoided when decisions are made. A need was noted for the City Council and the Planning Commission to be respectful to citizens and to Staff.

Factors that each body considers were listed, as follows:

1. Land Uses
2. Ordinances
3. Surrounding Land Uses
4. Economic Development
5. Social Issues
6. Public Opinion
7. Personal Opinion
8. Extenuating Circumstances
9. Adjournment Factors
10. Too Many Conditions Based on Aesthetics

The permitting process was discussed at length. It was suggested that joint notices establishing criteria could be placed on the same agenda to make General plan and zone changes more user friendly to the public. A need to remove some obstacles from the review process to make it less linear and more concurrent was noted. It was also observed that LUDMA requirements must be complied with. The Planning Commission would like technical aspects reviewed up front before getting too far into the process and coming before the Planning Commission. It was recommended that cautions be issued to applicants and a "blanket statement" be provided.

It was determined that the Council needs to be left out of the appeal procedures and an outside body should hear appeals.

Planning Commissioner Ted Jensen said that he would like the Planning Commission to do more active planning of specific areas and have a more defined version of the General Plan.

Mr. McGrath indicated that standards should be more defined so that more can be handled at staff level during the application phase and the Planning Commission can spend more time on planning and less on approvals. He stated that there are a number of things that go before the Planning Commission that could be handled on a Staff level.

Mayor Auger cited a need to be less reactive and more proactive.

It was suggested that joint meetings be scheduled every six months, at which time General Plan amendments could be made. The need was noted to have communication between the Council and the Planning Commission before decisions are overturned.

Council Member Matsumura asked Planning Commission Members to put together a mission statement. Chairman Wall strongly encouraged elected officials to participate in and attend an upcoming 2-day seminar at the University of Utah on citizen planners.

Planning Commissioner Blaine Pierce listed the needs to beautify the community, enforce ordinances and erase blight.

A wrap-up of the meeting was conducted by reviewing pros and cons, as follows:

Pros:

- Respected each other
- Like having Meeting
- Broke down barriers
- Comments were framed positively
- No contention
- Identified action

Cons:

- Need better attendance
- Need more advance scheduling

**2. Other Matters**

No other matters were discussed.

**3. Adjourn**

Due to a lack of a quorum, no motion was made for adjournment. The meeting came to a close at 11:45 a.m.

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Virginia Loader, City Recorder

Minutes approved: CC 10-19-05

*Minutes Prepared by: Cheryl Peacock, Deputy Recorder*